

Preamble

An Asterisk (*) throughout this document denotes legal authority, limitations and conditions which are not federally enforceable.

Concurrent Permit Actions Performed as Part of the Review and Issuance of Permit 627005280-F01.

Construction Permits Issued in Conjunction with Permit 627005280-F01 Under s. 285.61(8), Wis. Stats.: None.

Revised Construction Permits Issued in Conjunction with Permit 627005280-F01 Under s. NR 406.11, Wis. Adm. Code: None.

Operation (CONOP) Permits Issued in Conjunction with Permit 627005280-F01 Under s. 285.62(7)(b), Wis. Stats.: 05-JAJ-015-OP.

Revised Operation Permits Issued in Conjunction with Permit 627005280-F01 Under ss. NR 407.11, 407.12, 407.13 and/or 407.14, Wis. Adm. Code: None.

The following permits, orders, etc., are adopted, under ss. 285.65(3), Wis. Stats., NR 406.11(1)(c) and (d), NR 407.09(2)(d) and NR 407.15(3) and (4), Wis. Adm. Code, by Permit 627005280-F01 which then becomes the primary enforceable document: 05-JAJ-015 and 05-JAJ-015-OP.

Stack and Process Index.

1. P14 / S14 – Raw Silo #1
2. P15 / S15 – Raw Silo #2
3. P## / C20 / S20: P13 – Elevator #1, P16 – Conveyor #2, P17 – Elevator #2, P21 – Day Tank #1, P22 – Day Tank #2, P23 – Weigh Hopper #1, P24 – Raw Material Heater, P25 – Cyclone, P27 – Elevator #3, P28 – Resin Tank, P29 – Weigh Hopper #2, P41 – Shaker Screen, P42 – Elevator #4, P43 – Scalping Screen, P44 – Product Cooler, P45 – Conveyor #3, P46 – Elevator #5, P47 – Finished Silo #1, P48 – Finished Silo #2, P49 – Weigh Belt, and P71 – Finished Silo #3
4. P## / C50 / S50: P51 – Batch Mixer, P52 – Continuous Mixer, P53 – Sludge Tank #1, P54 – Surge Tank, Storage Tank T31 – Hexa Tank #1, and Storage Tank T32 – Hexa Tank #2
5. F11 / P11 – Railcar Unloading
6. F61 / P61 – Railcar Loading

Insignificant Emission Units.

- Boiler, Turbine, and HVAC System Maintenance.
- Convenience Space Heating (< 5 million BTU/hr Burning Gas, Liquid, or Wood).
- Convenience Water Heating.
- Demineralization and Oxygen Scavenging of Water for Boilers.
- Fire Control Equipment.
- Fuel Oil Storage Tanks (< 10,000 gal.).
- Internal Combustion Engines Used for Warehousing and Material Transport.
- Janitorial Activities.
- Maintenance of Grounds, Equipment, and Buildings (lawn care, painting, etc.).
- Office Activities.
- Pollution Control Equipment Maintenance.
- Sanitary Sewer and Plumbing Venting.
- Raw Material Conveyor #1.
- Flake Resin Loading.

Permit Shield - Unless precluded by the Administrator of the USEPA, compliance with all emission limitations in this operation permit is considered to be compliance with all emission limitations established under ss. 285.01 to 285.87, Wis. Stats., and emission limitations under the federal clean air act, that are applicable to the source if the permit includes the applicable limitation or if the Department determines that the emission limitations do not apply. The following emission limitations were reviewed in the analysis and preliminary determination and were determined not to apply to this stationary source: None.

Part I -- The headings for the areas in the permit are defined below. The legal authority for these limitations or methods follows them in [brackets].

Pollutant -- This area will note which pollutant is being regulated by the permit.

Limitations -- This area will list all applicable emission limitations that apply to the source, including case-by-case limitations such as Latest Available Control Techniques (LACT), Best Available Control Technology (BACT), or Lowest Achievable Emission Rate (LAER). It will also list any voluntary restrictions on hours of operation, raw material use, or production rate requested by the permittee to limit potential to emit.

Compliance Demonstration -- The compliance demonstration methods outlined in this area may be used to demonstrate compliance with the associated emission limit or work practice standard listed under the corresponding *Limitations* column. The compliance demonstration area contains limits on parameters or other mechanisms that will be monitored periodically to ensure compliance with the limitations. The requirement to test as well as initial and periodic test schedules, if testing is required, will be stated here. Notwithstanding the compliance determination methods which the owner or operator of a sources is authorized to use under ch. NR 439, Wis. Adm. Code, the Department may use any relevant information or appropriate method to determine a source's compliance with applicable emission limitations.

Reference Test Methods, Recordkeeping, and Monitoring Requirements -- Specific USEPA Reference test methods or other approved test methods will be contained in this area and are the methods that must be used whenever testing is required. A reference test method will be listed even if no testing is immediately required. Also included in this area are any recordkeeping requirements and their frequency and reporting requirements. Accuracy of monitoring equipment shall meet, at a minimum, the requirements of s. NR 439.055(3) and (4), Wis. Adm. Code, as specified in Part II of this permit.

Condition Type -- This area will specify other conditions that are applicable to the entire facility that may not be tied to one specific pollutant.

Conditions -- Specific conditions usually applicable to the entire facility or compliance requirements.

Compliance Demonstration -- This area contains monitoring and testing requirements and methods to demonstrate compliance with the conditions.

PART II -- This section contains the general limitations that the permittee must abide by. These requirements are standard for most sources of air pollutants so they are included in this section with every permit.

AIR POLLUTION CONTROL OPERATION PERMIT

EI FACILITY NO: 627005280

PERMIT NO.: 627005280-F01

TYPE: Synthetic Minor, Non-Part 70

In compliance with the provisions of Chapter 285, Wis. Stats., and Chapters NR 400 to NR 499, Wis. Adm. Code,

Name of Source: Atlas Resin Proppants LP

Street Address: N7500 County Road P,
Taylor, Jackson County, Wisconsin

Responsible Official, & Title: Mr. Robbie Sage, Operations Manager

is authorized to operate a resin-coated sand production facility described in the plans and specifications dated July 3, 2006, in conformity with the conditions herein.

THIS OPERATION PERMIT EXPIRES

October 10, 2011

A RENEWAL APPLICATION MUST BE SUBMITTED AT LEAST 6 MONTHS, BUT NOT MORE THAN 18 MONTHS, PRIOR TO THIS EXPIRATION DATE [ss. 285.66(3)(a), Wis. Stats. and NR 407.04(2), Wis. Adm. Code].

No permittee may continue operation of a source after the operation permit expires, unless the permittee submits a timely application for renewal of the permit. If you submit a timely application for renewal, the existing operation permit will not expire until the renewal application has been finally acted upon by DNR. [ss. 227.51(2), 285.62(8)(b), Wis. Stats. and NR 407.04(2), Wis. Adm. Code].

This authorization requires compliance by the permit holder with the emission limitations, monitoring requirements and other terms and conditions set forth in Parts I and II hereof.

Dated at Wisconsin Rapids, Wisconsin

October 10, 2006

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By


Joseph E. Ancel
Air Team Supervisor, West Central Region

PART I**A. Process P14, Stack S14 – Raw Silo #1.**

Pollutant	a. Limitations	b. Compliance Demonstration	c. Reference Test Methods, Recordkeeping and Monitoring Requirements
1. Particulate Matter Emissions	<p>(1) Emissions may not exceed 0.10 pounds per hour.¹ [s. NR 415.05(1)(o) and 415.05(2), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) Stack Parameters: These requirements are included because the source was reviewed with these stack parameters and it was determined that no increments or ambient air quality standards will be violated when constructed as proposed.</p> <ul style="list-style-type: none"> (a) Stack height shall be at least 60 feet above ground level. (b) The stack outlet diameter may not be greater than 6 inches. (c) The stack may not be equipped with a rainhat or other device which impedes the horizontal flow of the exhaust gases. <p>[s. 285.65(3), Stats. and s. NR 406.10, Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) The panel filter control device shall be in line and shall be operated at all times when the process is in operation. [s. NR 406.10 and s. NR 407.09(4)(a)1., Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) The permittee shall keep and maintain on site technical drawings, blueprints or equivalent records of the physical stack parameters. [s. NR 439.04(1)(d), Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use U.S. EPA Method 5, 5A, 5B, 5D, 5E, 5F, 5G, 5H or 17. [s. NR 439.06(1), Wis. Adm. Code.]</p>
2. Visible Emissions	<p>(1) Emissions of shade or density may not exceed number 1 of the Ringlemann chart or 20% opacity. [s. NR 431.05, Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) The requirements in I.A.1.b. and I.A.1.c. shall be used to demonstrate compliance with the visible emissions limit. [s. NR 407.09(4)(a)3.b., Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use U.S. EPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code.]</p>

¹ The 0.10 pounds per hour emission limit is based on 0.40 pounds of particulate per 1,000 pounds of gas, for 56 acfm, ambient exhaust temperature, and 0.02% moisture. This emission limit is more restrictive than the allowable emission limit of 38.6 pounds per hour calculated from the process weight rate equation in s. NR 415.05(2), Wis. Adm. Code, for a process weight rate of 150 tons per hour.

B. Process P15, Stack S15 – Raw Silo #2.

Pollutant	a. Limitations	b. Compliance Demonstration	c. Reference Test Methods, Recordkeeping and Monitoring Requirements
1. Particulate Matter Emissions	<p>(1) Emissions may not exceed 0.10 pounds per hour.² [ss. NR 415.05(1)(o) and 415.05(2), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) Stack Parameters: These requirements are included because the source was reviewed with these stack parameters and it was determined that no increments or ambient air quality standards will be violated when constructed as proposed.</p> <ul style="list-style-type: none"> (a) Stack height shall be at least 60 feet above ground level. (b) The stack outlet diameter may not be greater than 6 inches. (c) The stack may not be equipped with a rainhat or other device which impedes the horizontal flow of the exhaust gases. <p>[s. 285.65(3), Stats. and s. NR 406.10, Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) The panel filter control device shall be in line and shall be operated at all times when the process is in operation. [s. NR 406.10 and s. NR 407.09(4)(a).., Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) The permittee shall keep and maintain on site technical drawings, blueprints or equivalent records of the physical stack parameters. [s. NR 439.04(1)(d), Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use U.S. EPA Method 5, 5A, 5B, 5D, 5E, 5F, 5G, 5H or 17. [s. NR 439.06(1), Wis. Adm. Code]</p> <p>(2) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use U.S. EPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]</p>
2. Visible Emissions	<p>(1) Emissions of shade or density may not exceed number 1 of the Ringelmann chart or 20% opacity. [s. NR 431.05, Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) The requirements in I.B.1.b. and I.B.1.c. shall be used to demonstrate compliance with the visible emissions limit. [s. NR 407.09(4)(a)3.b., Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use U.S. EPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]</p>

² The 0.10 pounds per hour emission limit is based on 0.40 pounds of particulate per 1,000 pounds of gas, for: 56 acfm, ambient exhaust temperature, and 0.02% moisture. This emission limit is more restrictive than the allowable emission limit of 38.6 pounds per hour calculated from the process weight rate equation in s. NR 415.05(2), Wis. Adm. Code, for a process weight rate of 150 tons per hour.

C. Processes P13 - Elevator #1, P16 - Conveyor #2, P17 - Conveyor #2, P21 - Day Tank #1, P22 - Day Tank #2, P23 - Weigh Hopper #1, P24 - Raw Material Heater, P25 - Cyclone, P27 - Elevator #3, P28 - Resin Tank, P29 - Weigh Hopper #2, P41 - Shaker Screen, P42 - Elevator #4, P43 - Scalping Screen, P44 - Product Cooler, P45 - Conveyor #3, P46 - Elevator #5, P47 - Finished Silo #2, P48 - Finished Silo #1, P49 - Weigh Belt, and P71 - Finished Silo #3, Control Device C20, Stack S20.

Pollutant	a. Limitations	b. Compliance Demonstration	c. Reference Test Methods, Recordkeeping and Monitoring Requirements
1. Particulate Matter Emissions	<p>(1) Emissions may not exceed 1.9 pounds per hour.³ [ss. NR 404.08(2) and NR 415.05(1)(m) or 415.05(2), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) Stack Parameters: These requirements are included because the source was reviewed with these stack parameters and it was determined that no increments or ambient air quality standards will be violated when constructed as proposed.</p> <p>(a) Stack height shall be at least 16 feet above ground level.</p> <p>(b) The stack outlet diameter may not be greater than 2 feet 6 inches.</p> <p>(c) The stack may not be equipped with a rainhat or other device which impedes the upward flow of the exhaust gases.</p> <p>[s. 285.65(3), Stats. and s. NR 406.10, Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) The baghouse control device shall be in line and shall be operated at all times when the processes are in operation. [s. NR 406.10 and s. NR 407.09(4)(a)1, Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) Instrumentation to monitor the pressure drop across the baghouse control device shall be operated properly. [s. NR 439.055(1)(a), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(3) The pressure drop across the baghouse control device shall be maintained between 1 and 8 inches water column, or an alternative range approved in writing by the Department. [s. NR 407.09(4)(a)1., Wis. Adm. Code, and 05-JAJ-015]</p> <p>(4) The stack may not be equipped with a rainhat or other device which impedes the upward flow of the exhaust gases.</p> <p>[s. 285.65(3), Stats. and s. NR 406.10, Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use U.S. EPA Method 5, 5A, 5B, 5D, 5E, 5F, 5G, 5H or 17 including condensable backhalf emissions (U.S. EPA Method 202). [s. NR 439.06(1), Wis. Adm. Code]</p> <p>(2) The permittee shall keep and maintain on site technical drawings, blueprints or equivalent records of the physical stack parameters. [s. NR 439.04(1)(d), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(3) The permittee shall record the pressure drop across the baghouse once for every 8 hours of operation or once per day, whichever yields the greater number of measurements. [s. NR 439.055(2)(b)1., Wis. Adm. Code, and 05-JAJ-015]</p> <p>(4) The permittee shall keep records of all inspections, checks and any maintenance or repairs performed on the baghouse system, containing the date of the action, initials of inspector, and the results. [s. NR 439.04(1)(d), Wis. Adm. Code, and 05-JAJ-015]</p>

³ The 1.9 pounds per hour emission limit is based on modeling and is included in the permit to protect the National Ambient Air Quality Standards (NAAQS). This emission limit is more restrictive than the allowable emission limit of 10.31 pounds per hour calculated from the from 0.2 pounds per 1,000 pounds of exhaust gas limit in s. NR 415.05(1)(m), Wis. Adm. Code. The emission rate determined using the process weight equation is less restrictive than the emission limit calculated from 0.2 pounds per 1,000 pounds of exhaust gas limit in s. NR 415.05(1)(m), Wis. Adm. Code.

C. Processes P13 - Elevator #1, P16 - Conveyor #2, P17 - Conveyor #2, P21 - Day Tank #1, P22 - Day Tank #2, P23 - Weigh Hopper #1, P24 - Raw Material Heater, P25 - Cyclone, P27 - Elevator #3, P28 - Resin Tank, P29 - Weigh Hopper #2, P41 - Shaker Screen, P42 - Elevator #4, P43 - Scalping Screen, P44 - Product Cooler, P45 - Conveyor #3, P46 - Elevator #5, P47 - Finished Silo #1, P48 - Finished Silo #2, P49 - Weigh Belt, and P71 - Finished Silo #3, Control Device C20, Stack S20.

Pollutant	a. Limitations	b. Compliance Demonstration	c. Reference Test Methods, Recordkeeping and Monitoring Requirements
			(5) The baghouse control device pressure drop monitoring device shall be maintained in accordance with the manufacturer's recommendations and shall be calibrated at least once per year. [s. NR 439.11(1)(b) and s. NR 439.055(4), Wis. Adm. Code, and 05-JAJ-015]
2. Visible Emissions	(1) Emissions of shade or density may not exceed number 1 of the Ringlemann chart or 20% opacity. [s. NR 431.05, Wis. Adm. Code, and 05-JAJ-015]	(1) The requirements in I.C.1.b. and I.C.1.c. shall be used to demonstrate compliance with the visible emissions limit. [s. NR 407.09(4)(a)3.b., Wis. Adm. Code, and 05-JAJ-015]	(1) Reference Test Method for Visible Emissions: Whenever visible emission testing is required, the permittee shall use U.S. EPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]

D. Processes P51 - Batch Mixer, P52 - Continuous Mixer, P53 - Sludge Tank #1, and P54 - Surge Tank, Storage Tank T31 - Hexa Tank #1, and Storage Tank T32 - Hexa Tank #2, Control Device C50, Stack S50.

Pollutant	a. Limitations	b. Compliance Demonstration	c. Reference Test Methods, Recordkeeping and Monitoring Requirements
1. Particulate Matter Emissions	<p>(1) Emissions may not exceed 1.5 pounds per hour.⁴ [ss. NR 404.08(2) and NR 415.05(1)(m) or 415.05(2), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) Stack Parameters: These requirements are included because the source was reviewed with these stack parameters and it was determined that no increments or ambient air quality standards will be violated when constructed as proposed.</p> <p>(a) Stack height shall be at least 75 feet above ground level.</p> <p>(b) The stack outlet diameter may not be greater than 2 feet.</p> <p>(c) The stack may not be equipped with a rainhat or other device which impedes the upward flow of the exhaust gases. [s. 285.65(3), Stats. and s. NR 406.10, Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(1) The wet scrubber control device, including demister, shall be in line and shall be operated at all times when the processes are in operation. [s. NR 406.10 and s. NR 407.09(4)(a)1., Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) Instrumentation to monitor the pressure drop across the wet scrubber and demister, in inches of water column, shall be operated properly. [s. NR 439.055(1)(a), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(3) Instrumentation to monitor the wet scrubber liquor flow, in gallons per minute, shall be operated properly. [s. NR 439.055(1)(e), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(4) Instrumentation to monitor the pH of the wet scrubber absorbing fluid shall be operated properly. [s. NR 439.055(1)(f), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(5) The pressure drop across the wet scrubber and demister shall be maintained between 10 and 30 inches water column, or an alternative</p>	<p>(1) Reference Test Method for Particulate Matter Emissions: Whenever particulate matter emission testing is required, the permittee shall use U.S. EPA Method 5, 5A, 5B, 5D, 5E, 5F, 5G, 5H or 17 including condensable backhalf emissions (U.S. EPA Method 202). [s. NR 439.06(1), Wis. Adm. Code]</p> <p>(2) The permittee shall keep and maintain on site technical drawings, blueprints or equivalent records of the physical stack parameters. [s. NR 439.04(1)(d), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(3) Except as provided under (d), the permittee shall measure and record the following operational variables once for every 8 hours of operation or once per day, whichever yields the greater number of measurements:</p> <p>(a) Pressure drop across the wet scrubber and demister, in inches of water column,</p> <p>(b) Flow of liquor, in gallons per minute, and</p> <p>(c) pH of the absorption scrubbing fluid.</p>

⁴ The 1.5 pounds per hour emission limit is based on modeling and is included in the permit to protect the National Ambient Air Quality Standards (NAAQS). This emission limit is more restrictive than the allowable emission limit of 5.18 pounds per hour calculated from the from 0.2 pounds per 1,000 pounds of exhaust gas limit in s. NR 415.05(1)(m), Wis. Adm. Code. The emission rate determined using the process weight equation is less restrictive than the emission limit calculated from 0.2 pounds per 1,000 pounds of exhaust gas limit in s. NR 415.05(1)(m), Wis. Adm. Code.

D. Processes P51 - Batch Mixer, P52 - Continuous Mixer, P53 - Sludge Tank #1, and Storage Tank T31 - Hexa Tank #1, and Storage Tank T32 - Hexa Tank #2, Control Device C50, Stack S50.

Pollutant	a. Limitations	b. Compliance Demonstration	c. Reference Test Methods, Recordkeeping and Monitoring Requirements
		<p>range approved in writing by the Department. [s. NR 407.09(4)(a)1., Wis. Adm. Code, and 05-JAJ-015]</p> <p>(6) The solids content of recirculated scrubber water shall be maintained between 0 NTU to 550 NTUs, or an alternative range approved in writing by the Department which will assure compliance with I.D.1.a.(1). [s. 285.65(4), Wis. Stats., and s. NR 407.09(4), Wis. Adm. Code, 05-JAJ-015 and 627005280-F01]</p> <p>(7) The permittee shall use a method approved by the Department in writing, to monitor the solids content of the recirculated scrubber water as required by I.D.1.c.(3). [s. 285.65(4), Wis. Stats., and s. NR 407.09(4), Wis. Adm. Code, and 05-JAJ-015]</p>	<p>(d) The solids content of the recirculated scrubber water shall be measured and recorded at least once per day. [s. NR 439.055(2)(b), Wis. Adm. Code, and s. 285.65(4), Wis. Stats., and 05-JAJ-015]</p> <p>(4) The permittee shall keep records of all inspections, checks and any maintenance or repairs performed on the wet scrubber system, containing the date of the action, initials of inspector, and the results. [s. NR 439.04(1)(d), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(5) The wet scrubber pressure drop, liquor flow, and pH monitoring devices shall be maintained in accordance with the manufacturer's recommendations and shall be calibrated at least once per year. [s. NR 439.11(1)(b) and s. NR 439.055(4), Wis. Adm. Code, and 05-JAJ-015]</p>
2. Visible Emissions	(1) Emissions of shade or density may not exceed number 1 of the Ringlemann chart or 20% opacity. [s. NR 431.05, Wis. Adm. Code, and 05-JAJ-015].	(1) The requirements in I.D.1.b. and I.D.1.c. shall be used to demonstrate compliance with the visible emissions limit. [s. NR 407.09(4)(a)3.b., Wis. Adm. Code, and 05-JAJ-015]	(1) Reference Emissions: Whenever visible emission testing is required, the permittee shall use U.S. EPA Method 9. [s. NR 439.06(9)(a)1., Wis. Adm. Code]
3. Volatile Organic	(1) Latest Available Control Techniques and operating practices demonstrating	(1) The facility shall operate the wet scrubber at all times the processes are operating. [s. NR	(1) Whenever VOC compliance testing is required, USEPA Method 18, 25 or 25A,

D. Processes P51 - Batch Mixer, P52 - Continuous Mixer, P53 - Sludge Tank #1, and P54 - Surge Tank, Storage Tank T31 - Hexa Tank #1, and Storage Tank T32 - Hexa Tank #2, Control Device C50, Stack S50.

Pollutant	a. Limitations	b. Compliance Demonstration	c. Reference Test Methods, Recordkeeping and Monitoring Requirements
Compounds	<p>best current technology (LACT).</p> <p>(a) The permittee has demonstrated that 85% control of VOC emissions leaving the wet scrubber is technologically infeasible for the process line, and so shall use LACT. [s. NR 424.03(2)(c), Wis. Adm. Code, and 05-JAI-015]</p> <p>(b) LACT is defined as the following process operation practices and limitations:</p> <ol style="list-style-type: none"> 1. The facility shall operate the wet scrubber at all times the processes P51-54, T31, and T32 are operational, with monitoring of parameters: pressure differential, liquor flow rate, and pH of the scrubbing fluid. 2. The wet scrubber shall achieve one of the following: <ol style="list-style-type: none"> a. An overall control efficiency of 64% for VOC emissions, or b. VOC emission rate no greater than 10.6 pounds per hour. 	<p>406.10 and s. NR 407.09(4)(a)1., Wis. Adm. Code, and 05-JAI-015]</p> <p>(2) As required under I.D.1.b.(2)-(4).</p> <p>(3) The pressure drop across the wet scrubber and demister, the liquor flow rate, and the pH of the scrubbing fluid shall be maintained per manufacturer specifications, the most recent compliance test, or the malfunction prevention and abatement plan required under I.ZZZ.1., to meet the requirements under I.D.3.a.(1)(b) and I.D.1.a.(1). These operational ranges shall be established during the initial operation period. [s. NR 419.03(1), Wis. Adm. Code, and s. 285.65(7), Wis. Stats., and 05-JAI-015]</p> <p>(4) The permittee shall keep records of all inspections, checks and any maintenance or repairs performed on the wet scrubber, containing the date of the action, initials of inspector, and the results. [s. NR 439.04(1)(d), Wis. Adm. Code, and 05-JAI-015]</p>	<p>or another method approved by the Department in writing shall be used. When approved in writing an equivalent test method may be substituted for the required test method.</p> <p>(1) Whenever Phenol compliance testing is required, NIOSH Method 2546, or another method approved by the Department in writing shall be used. When approved in writing an equivalent test method may be substituted for the required test method.</p>
Phenol Emissions	<p>(1) The facility may not use more than 586,417 pounds of flake resin per month, based on a 12-month rolling average (7,037,000 pounds per year). [s. 285.65(7), Wis. Stats., and 05-JAI-</p>	<p>Uavg = [(AU1) + (AU2) + ... + (AU_n)] / 12</p>	

D. Processes P51 - Batch Mixer, P52 - Continuous Mixer, P53 - Sludge Tank #1, and P54 - Surge Tank, Storage Tank T31 - Hexa Tank #1, and Storage Tank T32 - Hexa Tank #2, Control Device C50, Stack S50.

Pollutant	a. Limitations	b. Compliance Demonstration	c. Reference Test Methods, Recordkeeping and Monitoring Requirements
015]	<p>(2) The free phenol content of the flake resin may not exceed 1.5%, by weight. [s. 285.65(7), Wis. Stats., and 05-JAJ-015]</p> <p>(3) The wet scrubber shall achieve one of the following:</p> <p>(a) An overall control efficiency of 64% for VOC emissions, as required under I.D.3.a.(1)(b)2.a., or</p> <p>(b) An overall control efficiency of 54.5% for phenol emissions.</p> <p>[s. 285.65(7), Wis. Stats., 05-JAJ-015 and 627005280-F01]</p>	<p>where,</p> <p>$U_{avg} = \text{Average pounds of flake resin used per month, as an average over the previous consecutive month period,}$</p> <p>$AUi = \text{Actual pounds of flake resin used, in month i.}$</p> <p>These calculations shall be completed within ten days of the end of each calendar month.</p> <p>[s. NR 407.09(4)(a)3.b., Wis. Adm. Code, and s. 285.65(7), Wis. Stats., and 05-JAJ-015]</p> <p>(2) As required under I.D.3.b.(3).</p> <p>(3) As required under I.D.1.c.(3).</p>	<p>[s. NR 439.06(8), Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) The permittee shall record and maintain records of the following:</p> <p>(a) The monthly total of flake resin used each month,</p> <p>(b) The monthly average of flake resin used, according to I.D.4.b.(1), and</p> <p>(c) Material safety data sheets or other technical documents which show the free phenol content of the flake resin used.</p> <p>[s. NR 407.09(4)(a)1., Wis. Adm. Code, and s. 285.65(7), Wis. Stats., and 05-JAJ-015]</p>

E. Fugitive Sources F11 - Railcar Unloading, and F61 - Railcar Loading.

Pollutant	a. Limitations	b. Compliance Demonstration	c. Reference Test Methods, Recordkeeping and Monitoring Requirements
1. Fugitive Emissions	(1) The permittee may not cause, allow or permit any materials to be handled, transported or stored without taking precautions to prevent particulate matter from becoming airborne. Nor may a person allow a structure, a parking lot, or a road to be used, constructed, altered, repaired, sand blasted or demolished without taking such precautions. [s. NR 415.04, Wis. Adm. Code, and 05-JAJ-015]	<p>(1) No person may cause, allow or permit any materials to be handled, transported or stored without taking precautions to prevent particulate matter from becoming airborne. Nor may a person allow a structure, a parking lot, or a road to be used, constructed, altered, repaired, sand blasted or demolished without taking such precautions. [s. NR 415.04, Wis. Adm. Code, and 05-JAJ-015]</p> <p>(2) Such precautions shall include, but not be limited to:</p> <p>(a) Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, or construction operations.</p> <p>(b) Application of asphalt, water, suitable chemicals or plastic covering on dirt roads, material stockpiles and other surfaces which can create airborne dust, provided such application does not create a hydrocarbon, odor or water pollution problem.</p> <p>(c) Installation and use of hoods, fans, and air cleaning devices to enclose and vent the areas where dusty materials are handled.</p> <p>(d) Covering or securing of materials likely to become airborne while being moved on public roads, railroads or navigable waters.</p> <p>(e) Conduct of agricultural practices such as tilling of land or application of fertilizers in such manner as not to create air pollution.</p> <p>(f) The paving or maintenance of roadway areas so as not to create air pollution.</p>	<p>(1) <u>Reference Test Method for Particulate Matter Emissions:</u> Whenever particulate matter emission testing is required, the permittee shall use U.S. EPA Method 5, 5A, 5B, 5D, 5E, 5F, 5G, 5H or 17. [s. NR 439.06(1), Wis. Adm. Code]</p> <p>(2) If using water or chemicals for dust control, the permittee shall record:</p> <p>(a) the date and time of the water or chemical application; and</p> <p>(b) the area(s) at the facility where water or chemicals are applied.</p> <p>[s. NR 439.04(1)(d), Wis. Adm. Code, and 05-JAJ-015]</p> <p>[s. NR 415.04(Intro.), Wis. Adm. Code, and 05-JAJ-015]</p> <p>[s. NR 415.04(1), Wis. Adm. Code, and 05-JAJ-015]</p>

CONDITION TYPE	a. SPECIFIC CONDITIONS
1. Malfunction Prevention and Abatement Plans	<p>(1) A malfunction prevention and abatement plan shall be followed by the facility. [s. NR 439.11, Wis. Adm. Code]</p> <p>(2) The facility shall submit the plan to Wisconsin Department of Natural Resources, West Central Region Air Program, 1300 West Clairemont Box 4001, Eau Claire WI 54702-4001, phone (715) 839-3700, for review and approval whenever this plan is updated or revised. The department may amend the plan if deemed necessary for malfunction prevention or for the reduction of excess emissions during malfunctions. [s. NR 439.11(2), Wis. Adm. Code]</p> <p>(3) A written copy of the plan shall be kept at the plant and shall be updated as necessary, but at least once every five years. [s. NR 439.11(1), Wis. Adm. Code]</p> <p>(4) All air pollution control equipment shall be operated and maintained in conformance with good engineering practices (i.e., operated and maintained according to the manufacturer's specifications and procedures) to minimize the possibility for the exceedance of any emission limitations. [s. NR 439.11(4), Wis. Adm. Code]</p> <p>(5) The plan shall be developed to prevent, detect and correct malfunctions or equipment failures which may cause any applicable emissions limitation to be violated or which may cause air pollution. [s. NR 439.11(1), Wis. Adm. Code]</p> <p>(6) This plan shall include installation, maintenance and routine calibration procedures for the control equipment instrumentation. This plan shall require an instrumentation calibration at the frequency specified by the manufacturer but not less than once per year plus an inspection and/or calibration whenever instrumentation anomalies are noted. [s. NR 407.09(1)(c), NR 439.055(4) and s. NR 439.11, Wis. Adm. Code]</p> <p>(7) The plan shall require a copy of the operation and maintenance manual for the control equipment be maintained on site. The plan shall contain all of the elements in s. NR 439.11(1)(a) - (H), Wis. Adm. Code. [s. NR 439.11, Wis. Adm. Code]</p> <p>(8) The facility shall maintain an inventory of normal consumable items necessary to ensure operation of the control device in conformance with the manufacturer's specifications and recommendations. [s. NR 439.11, Wis. Adm. Code]</p>
2. Stack Testing	<p>(1) All testing shall be performed while the emissions unit is operating at 100% capacity. If operation at 100% capacity is not feasible, the source shall operate at a capacity level which is approved by the Department in writing. [s. NR 439.07(1), Wis. Adm. Code]</p>

ZZZ. TOTAL FACILITY.

CONDITION TYPE	a. SPECIFIC CONDITIONS
Requirements	<p>(2) The Department shall be informed at least 20 working days prior to any stack testing so a Department representative can witness the testing. At the time of notification a compliance emission test plan shall also be submitted to the Department for approval. When approved in writing, an equivalent test method may be substituted for the reference test method. [s. NR 439.07(2), Wis. Adm. Code]</p> <p>(3) Two copies of the report on the tests shall be submitted to the Department for evaluation within 60 days following the tests. [s. NR 439.07(9), Wis. Adm. Code]</p>
3. Compliance Report / Records	<p>(1) The permittee shall submit periodic monitoring reports. [s. NR 407.09(1)(c)3., Wis. Adm. Code]</p> <p>(a) Submit to the Wisconsin Department of Natural Resources, West Central Region Air Program, 1300 West Clairemont Box 4001, Eau Claire WI 54702-4001, phone (715) 839-3700, an annual summary of the monitoring required by this permit, due February 1 for the period from January 1 to December 31 the previous year, each year that this permit is in effect. The content of the submittal is described in item D. of Part II of this permit. [s. NR 439.03(1)(b), Wis. Adm. Code]</p> <p>(2) The permittee shall submit periodic compliance certification. [s. NR 407.09(4)(a)3., Wis. Adm. Code]</p> <p>(a) Submit certification of compliance with the requirements of this permit to the Wisconsin Department of Natural Resources, West Central Region Air Program, 1300 West Clairemont Box 4001, Eau Claire WI 54702-4001, phone (715) 839-3700, due February 1 for the period from January 1 to December 31 the previous year, each year that this permit is in effect. The content of the submittal is described in item N. of Part II of the operation permit. [s. NR 439.03(1)(c), Wis. Adm. Code]</p> <p>(3) The records required under this permit shall be retained for at least five years and shall be made available to department personnel upon request during normal business hours. [s. NR 422.127(4)(d), s. NR 439.04, and s. NR 439.05, Wis. Adm. Code]</p>

PART II
General Permit Conditions
For Direct Stationary Sources

A. Scope.

This permit is valid only for the structure, building, facility, equipment or operation specifically identified herein. All emissions authorized hereby shall be in compliance with the terms and conditions of Parts I and II of this permit. [s. 285.60(7), Wis. Stats.]

B. Emissions Prohibited.

Unless the Department has approved an exception under s. NR 436.03(2), no person may cause, allow, or permit emissions of any air contaminant into the ambient air in excess of the limits set in chs. NR 400 to 499, Wis. Adm. Code. [s. NR 436.03(1), Wis. Adm. Code]

C. General Emission Limits.

C.1: Applicable to Insignificant Emissions Units.

The following general emission limitations may apply to one or more of the insignificant emission units identified in the preamble of this permit. It is the permittee's responsibility to comply with these requirements, if they do apply. Insignificant emission units typically are associated with inconsequential environmental impacts and present little potential for violations of these generally applicable requirements. If there were no observed, documented or known instances of noncompliance, certification of compliance is appropriate. Testing or monitoring to assure compliance is not required by this permit.

- C.1.a. Section NR 415.05, Wis. Adm. Code – Particulate emission limits for processes;
- C.1.b. Section NR 415.06, Wis. Adm. Code – Particulate emission limits for fuel burning installations;
- C.1.c. Section NR 415.07, Wis. Adm. Code – Particulate emission limits for incinerators;
- C.1.d. Section NR 423.03, Wis. Adm. Code – Solvent metal cleaning;
- C.1.e. Section NR 485.05, Wis. Adm. Code – Visible emission limits for motor vehicles, internal combustion engines and mobile sources; and
- C.1.f. Section NR 485.055, Wis. Adm. Code – Particulate emission limit for gasoline and diesel internal combustion engines.

C.2. Applicable to Significant and Insignificant Emissions Units.

The following general emission limitations may apply to both significant and insignificant emission units. It is the permittee's responsibility to comply with these requirements, if they apply. Testing or monitoring to assure compliance with these general emission limits is not required by this permit.

For each significant emission unit, if a more specific emission limit is included in Part I of this permit for any of the pollutants listed below, then compliance with that more specific limit will constitute compliance with the general emission limit. If a more specific limit is not included in Part I of this permit, then that pollutant was determined to be insignificant for that emission unit.

For insignificant emission units, if there were no observed, documented or known instances of non-compliance, certification of compliance is appropriate.

- C.2.a. No person may cause, allow, or permit particulate matter to be emitted into the ambient air which substantially contributes to exceeding an air standard, or creates air pollution. [s. NR 415.03, Wis. Adm. Code]

- C.2.b. No person may cause, allow, or permit any materials to be handled, transported, or stored without taking precautions to prevent particulate matter from becoming airborne. Nor may a person allow a structure, a parking lot, or a road to be used, constructed, altered, repaired, sand blasted or demolished without taking such precautions. Such precautions shall include, but not be limited to the following [s. NR 415.04, Wis. Adm. Code]:
- C.2.b.(1) Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, or construction operations.
- C.2.b.(2) Application of asphalt, oil, water, suitable chemicals, or plastic covering on dirt roads, material stockpiles, and other surfaces which can create airborne dust, provided such application does not create a hydrocarbon, odor, or water pollution problem.
- C.2.b.(3) Installation and use of hoods, fans and air cleaning devices to enclose and vent the areas where dusty materials are handled.
- C.2.b.(4) Covering or securing of materials likely to become airborne while being moved on public roads, railroads, or navigable waters.
- C.2.b.(5) Conduct of agricultural practices such as tilling of land or application of fertilizers in such manner as not to create air pollution.
- C.2.b.(6) The paving or maintenance of roadway areas so as not to create air pollution.
- C.2.c. No person may cause, allow or permit emission of sulfur or sulfur compounds into the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. [s. NR 417.03, Wis. Adm. Code]
- C.2.d. No person may cause, allow or permit organic compound emissions into the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. No person may cause, allow or permit organic compounds to be used or handled without using good operating practices and taking reasonable precautions to prevent the spillage, escape or emission of organic compounds, solvents or mixtures. [s. NR 419.03, Wis. Adm. Code]
- C.2.e. No person may cause, allow or permit the disposal of more than 5.7 liters (1.5 gallons) of any liquid Volatile Organic Compound (VOC) waste, or of any liquid, semisolid or solid waste materials containing more than 5.7 liters (1.5 gallons) of any VOC, in any one day from a facility in a manner that would permit their evaporation into the ambient air during the ozone season. This includes, but is not limited to, the disposal of VOC which must be removed from VOC control devices so as to maintain the control devices at their required operating efficiency. Disposal during the ozone season shall be by methods approved by the Department, such as incineration, recovery for reuse, or transfer in closed containers to an acceptable disposal facility, such that the quantity of VOC which evaporates into the ambient air does not exceed 15% (by weight) or 5.7 liters (1.5 gallons) in any one day, whichever is larger. [s. NR 419.04, Wis. Adm. Code]
- C.2.f. No person may cause, allow or permit emissions of carbon monoxide to the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. [s. NR 426.03, Wis. Adm. Code].
- C.2.g. No person may cause, allow or permit emissions into the ambient air of lead or lead compounds which substantially contribute to the exceeding of an air standard or air increment, or which create air pollution. [s. NR 427.025, Wis. Adm. Code]
- C.2.h. No person may cause, allow, or permit nitrogen oxides or nitrogen compounds to be emitted to the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. [s. NR 428.03, Wis. Adm. Code]
- C.2.i. No person may cause, allow or permit emission into the ambient air of any substance or combination of substances in such quantities that an objectionable odor is determined to result unless preventive measures satisfactory to the Department are taken to abate or control such emission. [s. NR 429.03(1), Wis. Adm. Code*]
- C.2.j. Open burning is prohibited except as provided in s. NR 429.04, Wis. Adm. Code. [s. NR 429.04, Wis. Adm. Code*]
- C.2.k. No person may cause, allow or permit emissions into the ambient air from any direct or portable source in excess of

one of the limits specified in ch. NR 431, Wis. Adm. Code. Where the presence of uncombined water is the only reason for failure to meet the requirements of ch. NR 431, Wis. Adm. Code, such failure is not a violation of the chapter. [s. NR 431.03, Wis. Adm. Code]

C.2.l. When the Department requires instrumentation to monitor the operation of air pollution control equipment, or to monitor source performance, the instrument shall measure operational variables with the following accuracy: [ss. NR 439.055(3) and NR 407.09(1)(c)1.c., Wis. Adm. Code]

C.2.l.(1) The temperature monitoring device shall have an accuracy of 0.5% of the temperature being measured in degrees Fahrenheit or \pm 5°F of the temperature being measured, or the equivalent in degrees Celsius (centigrade), whichever is greater.

C.2.l.(2) The pressure drop monitoring device shall be accurate to within 5% of the pressure drop being measured or within \pm 1 inch of water column, whichever is greater.

C.2.l.(3) The current, voltage, flow or pH monitoring device shall be accurate to within 5% of the specific variable being measured.

C.2.m. All instruments used for measuring source or air pollution control equipment operational variables shall be calibrated yearly or at a frequency based on good engineering practice as established by operational history, whichever is more frequent. [ss. NR 439.055(4) and NR 407.09(1)(c)1.c., Wis. Adm. Code]

C.2.n. No person may cause, allow, or permit emissions into the ambient air of any hazardous substance in such quantity, concentration, or duration as to be injurious to human health, plant or animal life unless the purpose of that emission is for the control of plant or animal life. Hazardous substances include, but are not limited to, hazardous air contaminants listed in Tables 1 to 5 of s. NR 445.04, Wis. Adm. Code. [s. NR 445.03, Wis. Adm. Code*]

C.2.o. Chapter NR 447, Wis. Adm. Code, applies to all air contaminant sources which may emit asbestos, to their owners and operators and to any person whose action causes the emission of asbestos to the ambient air, including demolition and renovation activities. Chapter NR 447, Wis. Adm. Code, establishes emission limitations for asbestos air contaminant sources, establishes procedures to be followed when working with asbestos materials and contains additional reporting and record keeping requirements for owners or operators of asbestos air contaminant sources in order to protect air quality. [ch. NR 447, Wis. Adm. Code]

C.2.p. Accidental Release Prevention Requirements.

An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of 40 CFR Part 68, no later than the latest of the following dates:

C.2.p.(1) June 21, 1999;

C.2.p.(2) Three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or

C.2.p.(3) The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR Part 68.10]

D. Reporting Requirements.

D.1. The Department shall be notified of the following events:

<u>Event</u>	<u>Timing</u>
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D.1.a. Hazardous substance air spill. Immediate call: 1-800-943-0003

D.1.b. Malfunction or other unscheduled event which causes or may cause any emission limitation to Notification by next business day of any such event at the source which is not reported in advance to the

be exceeded (except certain visible emission limit exceedences detected by a continuous emission monitor - see s. NR 439.03(4)(a)2., Wis. Adm. Code.).

- D.1.c. Deviation from any other condition specified in this permit.

[ss. 285.65(10) and 292.11(2), Wis. Stats., and s. NR 439.03(4)*, Wis. Adm. Code]

- D.2. Persons possessing or controlling a hazardous substance shall immediately notify the Department of any hazardous emission not in conformity with a permit or allowed by the Department under chs. NR 400 to 499. Notice shall be given as required by s. 292.11, Stats., and ch. NR 706.

<u>Event</u>	<u>Timing</u>
D.2.a. Hazardous substance air spill	Immediate call: 1-800-943-0003

[s. 292.11(2), Wis. Stats., and s. NR 445.08, Wis. Adm. Code*]

- D.3. The permittee shall report to the Department, in advance, schedules for planned shutdown and startup of air pollution control equipment and the measures to be taken to minimize the down time of the control equipment while the source is operating. Scheduled maintenance or any other scheduled event, including startup, shutdown or soot blowing procedures which have been approved by the Department under s. NR 436.03(2)(b), which causes an emission limit to be exceeded shall also be reported in advance to the Department. Advance reporting pursuant to this permit condition does not relieve any person from the duty to comply with any applicable emission limitations. Emissions in excess of the limits set in chs. NR 400-499, Wis. Adm. Code, may be allowed when the emissions are temporary and due to scheduled maintenance, startup or shutdown of operations carried out in accord with a plan and schedule approved by the Department. [s. NR 436.03(2)(b) and NR 439.03(6), Wis. Adm. Code]

- D.4. The permittee shall furnish to the Department, within a reasonable time specified by the Department, any information that the Department may request in writing to determine whether cause exists to revise, revoke or suspend this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Department copies of records required to be kept pursuant to this permit. [s. NR 407.09(1)(f)5., Wis. Adm. Code]

- D.5. The permittee shall submit the results of monitoring required by the permit to the Department according to the schedule established in Part I of this permit. Any such report shall clearly identify all instances of deviations from permit requirements. All such reports shall be signed by the responsible official for the source. [s. 285.17(2), Wis. Stats., and s. NR 439.03(1)(b), Wis. Adm. Code]

- D.6. Each report required under s. NR 439.03, Wis. Adm. Code, shall be certified by a responsible official as to its truth, accuracy and completeness. This certification and any other certification required under ch. NR 439 shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete. [s. NR 439.03(10), Wis. Adm. Code*]

- D.7. Except for information determined to be confidential under s. 285.70(2), Wis. Stats., any information or reports obtained by the Department in the administration of ss. 285.01 to 285.87 and 299.15, Wis. Stats., will be available for public inspection at the offices of the Department. [s. 285.70(1), Wis. Stats.]

- D.8. All certifications made under s. NR 439.03, Wis. Adm. Code, and all material statements and representations made in any report or notice required by this operation permit shall be truthful. [s. NR 439.03(11), Wis. Adm. Code*]

- D.9. Any document required under this permit and submitted to the Department, including reports, shall contain a certification by a responsible official that meets the requirements of s. NR 407.05(4)(j), Wis. Adm. Code. [s. NR 407.09(4)(a)1., Wis. Adm. Code]

E. Right of Entry and Inspection.

The permittee shall allow authorized representatives of the Department to enter upon the permittee's premises, to have access to and examine any record relating to emissions or required to be kept, and to make any inspection necessary to ascertain compliance with air pollution control laws and the terms of this permit. The Department may, for the purpose of determining a source's compliance with applicable requirements, sample or monitor at reasonable times production materials or other substances or operational parameters. [ss. 285.13 and 285.19, Wis. Stats., and s. NR 439.05, Wis. Adm. Code]

F. Malfunction Prevention and Abatement Plans.

The owner or operator of any direct or portable source which may emit hazardous substances or emits more than 15 pounds in any day or 3 pounds in any hour of any air contaminant for which emission limits have been adopted shall prepare a written malfunction prevention and abatement plan to prevent, detect, and correct malfunctions or equipment failures which may cause any applicable emission limitation to be violated or which may cause air pollution. Any such plan shall be carried out by the owner or operator. The plan shall be updated at least every 5 years. The Department may require the plan to be submitted for review and approval. [s. NR 439.11, Wis. Adm. Code*]

G. Emission Control Action Plan.

For source(s) covered by this permit which emit 0.25 tons or more per day of any air contaminant for which air standards have been adopted, the permittee shall prepare an emission control action program, consistent with good industrial practice and safe operating procedures, for reducing the emission of air contaminants into the outdoor atmosphere during periods of an air pollution alert, air pollution warning or air pollution emergency declared under s. NR 493.03(2), Wis. Adm. Code. The emission control action program shall be in writing, available on the premises and is subject to review and approval by the Department on request. [s. NR 493.04, Wis. Adm. Code*]

H. Change in Ownership or Control.

In the event of a change in ownership or operational control of a source, the permittee shall file a written request for an administrative permit revision in accordance with s. NR 407.11, Wis. Adm. Code. The request should include a written agreement between the current and new owner or operator which sets forth a specific date for transfer of permit responsibility, coverage and liability. If the Department determines that no other change in this permit is necessary, this permit may be revised according to the administrative revision procedures in s. NR 407.11, Wis. Adm. Code. [s. NR 407.11(3)(a), Wis. Adm. Code]

I. Permit Flexibility, Revision, Suspension, and Revocation.

- I.1. Changes to the source which are not modifications and changes in permit content are regulated under the permit flexibility provisions of s. 285.60(4m), Wis. Stats., and s. NR 407.025, Wis. Adm. Code, and the permit revision provisions in ss. NR 407.11, NR 407.12, NR 407.13, NR 407.14, and NR 407.16, Wis. Adm. Code.
- I.2. An operation permit may be suspended or revoked, in whole or in part, for cause. [ss. NR 407.09(1)(f)3. and NR 407.15, Wis. Adm. Code.]

J. Construction, Reconstruction, Replacement, Relocation or Modification.

- J.1. Unless the replacement is authorized by a permit or is exempt under s. NR 406.04, Wis. Adm. Code, replacement of the source(s) covered by this permit is prohibited. [s. 285.60(1)(a), Wis. Stats.]
- J.2. No person may commence construction, reconstruction, replacement, relocation or modification of a stationary source unless the person has a construction permit for the source or unless the source is exempt from the requirement to obtain a permit under s. 285.60(5), Wis. Stats., or under ch. NR 406, Wis. Adm. Code. Applications for the construction permit shall be submitted on forms which are available from the Department at its Madison headquarters and district offices. [s. 285.60(1)(a), Wis. Stats.]

Note: The address of the Madison headquarters is: Wisconsin Department of Natural Resources, Bureau of Air Management, PO Box 7921, Madison, WI 53707. Attention: Permit Application Forms.

- J.3. For new or modified sources for which no construction permit is required, the application for an operation permit shall be filed before the source commences construction or modification. [s. NR 407.04, Wis. Adm. Code]

K. Circumvention.

- K.1. The installation or use of any article, machine, equipment, process, or method which conceals an emission which would otherwise constitute a violation of an applicable rule is prohibited unless written approval has been obtained from the Department. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance and the unnecessary separation of an operation into parts to avoid coverage by a rule that applies only to operations larger than a specified size. [s. NR 439.10, Wis. Adm. Code]
- K.2. No one may render inaccurate any monitoring device or method required under ch. NR 439, Wis. Adm. Code, or in this permit. [s. NR 439.03(12), Wis. Adm. Code*]
- K.3. No person may knowingly falsify, tamper with, render inaccurate or fail to install any monitoring device or method required to be maintained or followed under the Clean Air Act. [Clean Air Act s. 113(c)(2)(C); 42 USC 7413(c)(2)(C), s. 285.65(13), Wis. Stats.]

L. Civil/Criminal Liability.

- L.1. Nothing in this permit shall be construed to relieve the permit holder from civil and/or criminal penalties under ss. 285.87 and 299.15, Wis. Stats., for violation of the terms or conditions of this permit, or for violation of ss. 285.01 to 285.87, 292.11(2) and 299.15, Wis. Stats., or of any rule or any special order issued under those sections except where the operation permit shield provisions of s. 285.62(10)(b), Wis. Stats., are applicable. [s. 285.62(10)(b), Wis. Stats.]
- L.2. The permittee has the duty to comply with all conditions of the permit. Any noncompliance with this permit constitutes a violation of the Wisconsin statutes, the federal clean air act, or both, and is grounds for enforcement action; for permit suspension, revocation or revision; or, if allowed under s. 285.62(6), Wis. Stats., for denial of a permit renewal application. [ss. NR 407.14, NR 407.15, and NR 407.09(1)(f)1., Wis. Adm. Code, s. 285.60(7), Wis. Stats. and 42 USC 7661a]
- L.3. The following items are provided per s. NR 407.09(1)(d) and (f), Wis. Adm. Code:
- L.3.a. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this permit. [s. NR 407.09(1)(f)2., Wis. Adm. Code]
- L.3.b. The filing of a request by the permittee for a permit revision or revocation, or the filing of a notification of planned changes under s. NR 407.025, Wis. Adm. Code, or of anticipated noncompliance, does not stay any permit condition. [s. NR 407.09(1)(f)3., Wis. Adm. Code]
- L.3.c. The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, nor does it authorize any injury to private property or any invasion of personal rights. [s. NR 407.09(1)(f)4., Wis. Adm. Code]
- L.3.d. The provisions of this permit are severable. In the event of a successful challenge to any portion of the permit, all other portions of the permit remain valid and effective. [s. NR 407.09(1)(d), Wis. Adm. Code]

M. Recordkeeping Requirements.

- M.1. The permittee shall maintain the following records, per s. NR 439.04, Wis. Adm. Code:
- M.1.a. Records of all sampling, testing and monitoring conducted or required under chs. NR 400 to 499 or under this permit. Records of sampling, testing or monitoring shall include the following:
- M.1.a.(1) The date, monitoring site and time and duration of sampling, testing, monitoring or measurements.
- M.1.a.(2) The dates the analyses were performed.
- M.1.a.(3) The company or entity that performed the analysis.

M.1.a.(4) The analytical techniques or methods used, including supporting information such as calibration and maintenance records of all original recording charts for continuous monitoring instrumentation including emissions or equipment monitors.

M.1.a.(5) The results of the analyses.

M.1.a.(6) The relevant operating conditions that existed at the time of sampling, testing, monitoring or measurement.

M.1.b. Records detailing all malfunctions which cause any applicable emission limitation to be exceeded, including logs to document the implementation of the plan required under s. NR 439.11, Wis. Adm. Code;

M.1.c. Records detailing all activities specified in any compliance schedule approved by the Department under chs. NR 400 to 499, Wis. Adm. Code; and

M.1.d. Any other records relating to the emission of air contaminants which may be requested in writing by the Department.

M.2. The owner or operator of a source not subject to s. NR 445.05(6), Wis. Adm. Code, shall maintain the following records in writing at the source, as appropriate:

M.2.a. The hazardous air contaminants in Table 5 of s. NR 445.04 the source is capable of emitting.

M.2.b. The allowable emissions for each hazardous air contaminant identified in M.2.a. above for each emissions unit.

M.2.c. The methods used to calculate allowable emissions under M.2.b. above, including:

M.2.c.(1) All calculations which show the dimensional units for all values used.

M.2.c.(2) Emission factors used and reference to stack tests, mass balance calculations or EPA documents that the emission factor is based on.

M.2.d. Information to support exemption claims including fuels used, laboratory status or downwash minimization stack height calculations as appropriate. [s. NR 445.05(4r)(c), Wis. Adm. Code*]

M.3. Owners and operators of facilities required to file emission inventory reports shall keep accurate and reliable records sufficient to enable verification of the reports by the Department. [s. NR 438.03(4), Wis. Adm. Code]

M.4. Copies of all records and reports required under this permit shall be retained by the permittee for a period of 5 years. [s. NR 439.04(2), Wis. Adm. Code]

N. Compliance Certification.

N.1. The permittee shall submit compliance certifications to the Department, and part 70 sources shall also submit this compliance certification to the United States Environmental Protection Agency. [s. NR 439.03(1)(c) and (9), Wis. Adm. Code]

N.1.a. The certification shall be submitted according to the schedule established in Part I of the permit. [s. NR 439.03(1)(c), Wis. Adm. Code]

N.1.b. The certification shall include the following:

N.1.b.(1) Identification of each permit term or condition that is the basis of the certification;

N.1.b.(2) The compliance status of the source with respect to each term or condition identified in N.1.b.(1);

N.1.b.(3) Whether compliance was continuous or intermittent;

N.1.b.(4) Method(s) used for determining the compliance status, currently and over the previous 12 month period;

- N.1.b.(5) Compliance status with respect to 40 CFR 68 (Accidental Release Prevention) including registration and submission of the risk management plan, as specified in 40 CFR 68.160 and 68.150, respectively, if applicable.
- N.1.b.(6) Other information required to determine the compliance status of the source, as specified in this permit. [s. NR 439.03(8), Wis. Adm. Code]
- N.2. Compliance certifications shall be signed by a responsible official of the source. The responsible official shall certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. [s. NR 439.03(10), Wis. Adm. Code]

O. Required Air Emission Inventory Reports.

The permittee shall annually submit to the Department an emission inventory report of annual, actual emissions or throughput information in accordance with ch. NR 438, Wis. Adm. Code. [s. NR 438.03, Wis. Adm. Code]

P. Annual Emission Fees.

The permittee shall pay an annual emissions fee to the Department at the rate specified in s. 285.69(2), Wis. Stats. [ss. NR 410.04 and NR 407.09(1)(e), Wis. Adm. Code]

Q. General Provisions for Hazardous Air Pollutant MACT Standards.

The general provisions in ch. NR 460, Wis. Adm. Code, apply to any permittee that is affected or becomes affected by a standard promulgated by EPA under section 112 of the act (42 USC 7412). [s. NR 460.01, Wis. Adm. Code]

R. Stratospheric Ozone Protection.

R.1. Federal Requirements. (Call 1-800-296-1996 for information)

R.1.a. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

R.1.a.(1) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to section 82.106.

R.1.a.(2) The placement of the required warning statement must comply with the requirements pursuant to section 82.108.

R.1.a.(3) The form of the label bearing the required warning statement must comply with the requirements pursuant to section 82.110.

R.1.a.(4) No person may modify, remove or interfere with the required warning statement except as described in section 82.112.

R.1.b. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in 40 CFR Part 82, Subpart B:

R.1.b.(1) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to section 82.156.

R.1.b.(2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to section 82.158.

R.1.b.(3) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to section 82.161.

R.1.b.(4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to section 82.166 (the term, "MVAC-like appliance", is defined in section 82.152).

R.1.b.(5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to section 82.156.

R.1.b.(6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to section 82.166.

R.1.c. If the permittee manufactures, transforms, imports or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.

R.1.d. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.

R.1.e. The permittee may be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program.

[s. 285.65(12), Wis. Stats.]

R.2. State Requirements. (Call 1-608-264-6049 for information)

R.2.a. During the salvaging, dismantling or transporting of refrigeration equipment, no person may knowingly or negligently release ozone-depleting refrigerant to the environment, except for minimal releases that occur as a result of efforts to transfer ozone-depleting refrigerant into storage tanks. [s. 285.59(2r)(a), Wis. Stats.*]

R.2.b. No person may knowingly or negligently release from a storage tank to the environment ozone-depleting refrigerant that was removed during the salvaging, dismantling or transporting of refrigeration equipment, except for minimal releases that occur as a result of efforts to transfer ozone-depleting refrigerant into refrigeration equipment or other storage tanks. [s. 285.59(2r)(am), Wis. Stats.*]

R.2.c. No person may salvage or dismantle any refrigeration equipment unless:

R.2.c.(1) That person holds and prominently displays an annual registration of certification obtained from the Department under s. NR 488.04, Wis. Adm. Code;

R.2.c.(2) That person uses refrigerant recovery equipment approved by the Department under s. NR 488.07, Wis. Adm. Code, to transfer remaining ozone-depleting refrigerant from each piece of refrigeration equipment into storage tanks; and

R.2.c.(3) Individuals who use the approved refrigerant recovery equipment have, or are working under the direct supervision of individuals who have, the qualifications required under s. NR 488.08, Wis. Adm. Code. [s. NR 488.03(3), Wis. Adm. Code*]

R.2.d. Any person who sells, gives or transports refrigeration equipment to a scrap metal processor shall:

R.2.d.(1) Transfer ozone-depleting refrigerant from the refrigeration equipment into a storage tank using approved refrigerant recovery equipment or obtain and possess documentation that another person performed the transfer; and

R.2.d.(2) Provide documentation to the scrap metal processor that he or she has complied with R.2.d.(1).

Note: Sample forms for the documentation of compliance with R.2.d.(1) are available from the Bureau of Air Management CFC Program.

Exemption: R.2.d.(1) and R.2.d.(2) do not apply to a person who sells, gives or transports refrigeration equipment

to a scrap metal processor when that processor has agreed in writing to transfer the ozone-depleting refrigerant into a storage tank using approved refrigerant recovery equipment and that the processor is registered with the Department under s. NR 488.04. [s. NR 488.05, Wis. Adm. Code*]

- R.2.e. Any person who transports, for the purposes of salvaging or dismantling, refrigeration equipment that contains ozone-depleting refrigerant shall certify to the Department that person will not knowingly or negligently release ozone-depleting refrigerant to the environment, except for minimal releases that occur as a result of refrigerant recovery efforts. This certification shall be submitted annually, along with a description of the safe transport methods to be used, and the fees required under s. NR 488.11, Wis. Adm. Code. [s. NR 488.10, Wis. Adm. Code*]